IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

Bail Appl..No. 3753 of 2007()

(CRIME NO. 321/2007 of BADAGARA POLICE STATION)

PETITIONER/3RD ACCUSED:

AMBALAPARAMBATH BAIJU, S/O. GOPALAN,
AGED 30 YEARS, AMBALAPPARAMBATH HOUSE, MANGALEDU,
(PO) PONMERI PARAMBIL, KOZHIKODE DISTRICT.

BY ADV. SRI.C.VATHSALAN
SRI. RAKESH ROSHAN K.

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
(BY S.H.O. BADAGARA IN CRIME NO.321 OF 2007 OF
BADAGARA POLICE STATION), REP.BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, COCHIN

BY ADV. SRI. JAI GEORGE, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.3753 of 2007

Dated this the 21st day of June, 2007

ORDER

Application for regular bail. Offences alleged include the one punishable under Section 307 I.P.C. Petitioner is the 3rd accused. Altogether there are 7 accused. Accused 5 to 7 are still at large. Accused 1 and 2 have already been arrested and released on bail. The alleged incident took place on 16.04.2007. The petitioner surrendered on 22.05.2007. He continues in custody from that date. The learned counsel for the petitioner prays that the petitioner may now be enlarged on bail. The learned Public Prosecutor opposes the said prayer. Investigation is in an early stage. Co-accused have not been arrested. The petitioner has criminal antecedents. He is the accused in three cases. Bail if at all granted may only be from a future date to facilitate completion of investigation. Appropriate and strict conditions may be imposed considering the antecedents of the petitioner, submits the learned Public Prosecutor.

2. I am satisfied that bail can be granted to the petitioner subject to appropriate and strict conditions which shall allay the apprehensions arrayed by the learned Public Prosecutor.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 02.07.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.75,000/- (Rupees Seventy five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays until further orders;

iv) The petitioner shall not enter the jurisdiction of Vadakara Police Station until further orders except for the purpose of complying with the condition No.(iii).

(R.BASANT, JUDGE)

rtr/-